

PATENT
Customer No. 25,537
Attorney Docket No. VON96046C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Isaac K. Elliott) Group Art Unit: 2475
Application No.: 09/879,983)
Filed: June 14, 2001) Examiner: PHAN, MAN U
For: SYSTEM AND METHOD FOR) Confirmation No.: 6036
PROVIDING REQUESTED QUALITY OF) Notice of Allowance mailed August 22, 2011
SERVICE IN A HYBRID NETWORK)

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

Applicant thanks the Examiner for the Notice of Allowability and the Statement of Reasons for Allowance mailed on August 22, 2011. Without withdrawing the allowed claims from issue, Applicant submits these comments for the record.

Applicants note the Examiner's Reasons for Allowance includes an apparent typographical error, "no obvious improvement" that Applicants believe should read "non-obvious improvement."

In the Statement of Reasons for Allowance, the Examiner made characterizations and assertions about the allowed claims and the art of record. Although Applicant agrees with the Examiner's ultimate conclusions that the claims are patentable, Applicant does not necessarily agree with the Examiner's statement and the characterizations and assertions therein.

Specifically, the Examiner paraphrased portions of the allowed claims. Applicant respectfully submits that each of the allowed claims is patentable based on the subject matter defined by the claim language and the combination of recitations within the claims, and not by the specific paraphrasing provided by the Examiner.

Furthermore, it is understood that the Examiner's characterizations were for purposes of referring to the prior art, and do not in any way imply that the claims are limited by words not actually present in the claims. Therefore, Applicant declines to subscribe to any statement or characterization contained in the Notice of Allowance and the accompanying Reasons for Allowance.

Should the Examiner disagree with Applicant's comments on the Reasons for Allowance, the Examiner is invited to contact the undersigned to resolve such disagreement.

If there is any fee due in connection with the filing of these Comments, please charge the fees to our deposit account 07-2347.

Respectfully submitted,

/David J. O'Neill, Reg. No. 42,953/

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